

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office FEB 7 1979

Returned to applicant for correction.....

Corrected application filed.....

Map filed FEB 20 1979 under 36643

The applicant W. Dalton La Rue, Sr. & Juanita S. La Rue dba Winnemucca Ranch

P.O. Box 3159, of Reno,  
Street and No. or P.O. Box No. City or Town

Nevada 89505, hereby make application for permission to appropriate the public  
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Unnamed Spring aka Winnemucca Spring  
Name of stream, lake or other source.

#42

2. The amount of water applied for is 2/10 second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet                      acre-feet

3. The water to be used for stockwater  
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)                     

(b) Stockwater (state number and kinds of animals to be watered) 500 cattle January 1 to December 31

(c) Other use (describe fully under "No. 12. Remarks")                     

(d) Power:

(1) Horsepower developed                     

(2) Point of return of water to stream                      /in

5. The water is to be diverted from its source at the following point: the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 3 T24N

R19E MDB&M from which the NE corner of said Sec. 3 T24N R19E bears

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

N 88° 30' E. a distance of 285 ft.  
it should be stated.

6. Place of use NE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 3 T24N R19E MDB&M

Describe by legal subdivision, if on unsurveyed land it should be so stated.

deeded land of applicants

7. Use will begin about January 1 and end about December 31, of each year.  
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) collection box and pipe line to storage tank

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$1,000.00
10. Estimated time required to construct works.....1 year
11. Estimated time required to complete the application to beneficial use.....1 year
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

By this application we do not waive our vested water rights on this land prior to 1905. It is claimants understanding that their claim for vested rights go back to the beginning of time because the first white settlers, believed to have come in the 1850's, acquired the aboriginal rights of the Indians. That it was the policy of the U.S. Government to respect these aboriginal rights to all lands within the Mexican Cession. See U.S. vs. Santa Fe Railroad Co. 314 U.S. 340; 86 L ed 260. Known as Winnemucca Ranch Spring #42.

Applicant W. Dalton La Rue, Sr. & Juanita S. La Rue  
dba Winnemucca Ranch

By s/ W. Dalton La Rue Sr.  
W. Dalton La Rue, Sr.  
P.O. Box 3159  
Reno, Nevada 89505

Compared.....lp/dh

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.016 cubic feet per second or sufficient to water 500 head of cattle.

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before April 19, 1989

Proof of completion of work shall be filed before May 19, 1989

Application of water to beneficial use shall be made on or before April 19, 1990

Proof of the application of water to beneficial use shall be filed on or before May 19, 1990

Map in support of proof of beneficial use shall be filed on or before May 19, 1990

Commencement of work filed  
Completion of work filed MAR 31 1989  
Proof of beneficial use filed JUL 24 1991  
Cultural map filed  
Certificate No. 12980 Issued AUG 28 1991  
Recorded Bk Page  
County Recorder

IN TESTIMONY WHEREOF, I PETER G. MORROS  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 19th day of April  
A.D. 19 88  
State Engineer